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Wednesday, Nov. 29, 2017



## TODAY'S EDITORIAL

### Legislature's derelict with 213-day delay in confirming Utility Commission nominees

**CBC Editorial:** Wednesday, Nov. 29, 2017; Editorial # 8242

*The following is the opinion of Capitol Broadcasting Company*

There's plenty for folks to disagree on as the North Carolina Utilities Commission considers what it will do with the latest electric rate increase request from Duke Energy Progress. However, few should oppose the commission itself being at full strength as it considers the case that will affect most of the state's electric consumers.

But maybe not?

The leadership of the General Assembly, for the last 213 days, has been unable to find the time to confirm two of Gov. Roy Cooper's nominees for the commission.

"So what?" some might say. The folks on the commission continue to serve until they're replaced. "What's the big deal?"

Well, it COULD be a big deal if the legislature ends up causing more confusion and spreading doubt over the way this major utility rate request is handled.

A new commissioner, having not participated in the hearings, wouldn't be involved in the decision-making. A sitting commissioner who, for some bizarre reason, wasn't confirmed, could mean another vacancy.

All this may seem far-fetched under normal circumstances, but not here in North Carolina.

If anything is true about the General Assembly in the last few years, it's that its impulsive, erratic and irrational behavior too often leads to disruptive and damaging ends. Just think about House Bill 2, restrictive voting laws, illegally-gerrymandered electoral and judicial districts, to name just a few.

There have been some rumblings that legislative leaders may start some hearings on the Utilities Commission nominees in December. Senate Rules Committee Chair Bill Rabon, R-Brunswick, told reporters last month that the confirmations could come up in January, when the legislature is scheduled to return into session.

In [Charlotte Mitchell and ToNola D. Brown-Bland, Cooper has nominated two people](#) who clearly deserve legislative confirmation and can handle the responsibilities in a knowledgeable and fair way. Brown-Bland has proved it as a member of the commission since 2009. Mitchell's experience in utility law and practice before the commission has prepared her well.

For legislative leaders, who repeatedly have promised to run things in a business-like manner, the delay tactics are another sorry example of their lack of business acumen.

As much as any agency in state government -- the Utilities Commission makes decisions and deals with matters intimately tied to the state's economic well-being and attractiveness for business development.

Decisions by the commission should be clear and direct and not clouded by any questions that could arise if a decision is rendered by a commissioner who isn't re-confirmed or without the input of all the commissioners who participated in the case.

The legislature has been battling the governor in court over its right to confirm his nominees. But when legislators are presented with that confirmation task, they won't do it.

This foolish partisan political skirmish has real-world business consequences.

While the legislature should make sure the Utilities Commission is in a position to make decisions in an unequivocal manner, it should also live up to its duty to confirm the governor's nominees.

A 213-day delay is unwarranted. Legislators need to move expeditiously to confirm these nominees while at the same time making sure they don't further damage the integrity of the commission's work.

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# Opinion Roundup

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**Wednesday, Nov. 23, 2017** — A roundup of opinion, commentary and analysis on newly revealed emails between UNC leaders on the Silent Sam statue, the continued debate over Duke Energy coal ash costs, the takeover of Cardinal Innovations by DHHS and more.

## **POLITICS & POLICY**

**JONATHAN DREW & MICHAEL KUNZELMAN: Emails reveal UNC leaders lamented options for Confederate statue** (*AP news analysis*) -- Fearing violence or vandalism at a campus rally against a Confederate statue, two top University of North Carolina leaders privately lamented their dilemma and appeared envious of another university that abruptly took down similar monuments, newly released emails show.

**UNC School of Education joins growing list denouncing Silent Sam** (*Durham Herald-Sun news analysis*) -- School of Education faculty and staff joined other UNC departments, officially calling for the removal of the Silent Sam statue from campus in Chapel Hill.

**SUSAN LADD: Carolina plagued by state interference, internal failures** (*Greensboro News & Record column*) -- UNC Chapel Hill's self-inflicted wound may ultimately do more damage than attacks by N.C. General Assembly.

**BETH REINHARD: Undercover conservative activist rented apartment in home of Democratic operative Brad Woodhouse** (*Washington Post news*)



“conservative media movement,” Jaime Phillips checked into an Airbnb apartment for a two-week stay in the basement of the Capitol Hill home of Brad Woodhouse, the former communications director for the Democratic National Committee, Woodhouse said Tuesday.

**Robert Pittenger wants Christ in Christmas. And your donation** (*Charlotte Observer*) -- Robert Pittenger wants to put Christ back in Christmas. And your donation.

**State AG Needs to Be Firm on Agenda** (*Southern Pines Pilot*) -- It's been a challenging first year for Attorney General Josh Stein. Not long after the former state senator took office in January, the Democrat found himself facing \$10 million in budget cuts the Republican-controlled legislature forced onto his agency.

**ADAM SOTAK: Why NC could lose big in the 2020 census** (*EdNC column*) -  
- So far, our nation's policymakers have severely underfunded preparations for the 2020 Census by hundreds of millions of dollars. Continuing this path will most certainly lead to a poor census and the risk of hundreds of thousands of North Carolinians being missed in the count. This will especially affect young children.

**REBECCA MARTINEZ: Tillis Claims NC Thriving Because Of Tax Overhaul Similar To Proposed Federal Plan** (*WUNC-FM analysis*) -- Sen. Thom Tillis is holding up North Carolina as the poster child for the tax plan congressional Republicans are struggling to pass. Tillis said he recently explained to a fourth grade class that his home state has been thriving since state lawmakers passed a similar tax overhaul in 2013. He said that boosted North Carolina's economy and caused a drop in poverty.

## **ENERGY & ENVIRONMENT**

**Don't let Duke pass coal ash cleanup cost along to consumers** (*Wilson Times*) -- Families forced to choose between paying the power bill, buying medicine and stocking the fridge should pay for Duke Energy's sloppy storage of coal ash, empty suits said with a straight face. Duke Energy Progress wants central and eastern North Carolina electric customers to pick up the tab for cleaning up coal ash pits in the wake of a 2014 state law tightening controls on energy waste disposal.

**Duke Energy should pay some coal ash costs** (*Fayetteville Observer*) -- If Duke gets its way, it will charge North Carolina consumers an extra \$305 million a year, which amounts to a nearly 10 percent rate hike. At a time when inflation is barely touching 2 percent and wages are still stagnant, that could really hurt, especially for already-struggling low-income customers. It will also hurt a lot of Duke's big customers, including manufacturers who never fully recovered from the recession and whose profit margins are already razor-thin.

**Coal costs are rising** (*Greensboro News & Record*) -- Duke Energy and state utilities regulators are contesting who should pay the cost of coal.

**TRAVIS FAIN: Attorneys: Duke knew about coal ash concerns in 1980s, didn't act** (*WRAL-TV analysis*) -- When Duke Energy says it wants to cover

bottled water it's bought people living near the ash pits, a top executive testified Tuesday during a hearing on the company's proposed rate increase.

**DREW C. WILSON: Suit challenges pipeline certificates' legality** (*Wilson Times analysis*) -- Property owners in Wilson and Nash counties are part of a federal lawsuit claiming Federal Energy Regulatory Commission certificates issued to the Atlantic Coast Pipeline and the Mountain Valley Pipeline are in violation of the Natural Gas Act and the U.S. Constitution.

**RACHEL WILLIS: Climate Change Threatens Economy** (*Coastal Review column*) -- Rachel Willis, a UNC professor in the American Studies department, is an advocate for the world's transportation infrastructure to work with, not against, climate change and sea level rise.

## **HEALTH**

**A welcome takeover** (*Winston-Salem Journal*) -- It should not be surprising that the N.C. Department of Health and Human Services has temporarily taken over daily operations of Cardinal Innovations Healthcare Solutions and removed Cardinal's board of directors,

## **AND MORE**

**Cooper to join in celebrations for Durham Bulls, UNC hoops** (*AP*) -- North Carolina Gov. Roy Cooper is spending part of his work day in the midst of champions.

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